

# Daily Digest

## HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 2744, Agriculture Appropriations Act.

Senate passed S. 1932, Budget Reconciliation Act.

House Committee ordered reported the Deficit Reduction Act of 2005.

## Senate

### Chamber Action

*Routine Proceedings, pages S12285–S12374*

**Measures Introduced:** Five bills and three resolutions were introduced, as follows: S. 1956–1960, and S. Res. 298–300. **Pages S12353–54**

#### Measures Reported:

S. 1095, to amend chapter 113 of title 18, United States Code, to clarify the prohibition on the trafficking in goods or services, with an amendment in the nature of a substitute.

S. 1699, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, with an amendment. **Page S12353**

#### Measures Passed:

**Budget Reconciliation:** By 52 yeas to 47 nays (Vote No. 303), Senate passed S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), after taking action on the following amendments proposed thereto:

**Pages S12291–S12345**

#### Adopted:

Enzi Modified Amendment No. 2352, to provide elementary and secondary education assistance to students and schools impacted by Hurricane Katrina and to lower origination fees. **Pages S12292–94**

By 83 yeas to 16 nays (Vote No. 289), Wyden/Talent Amendment No. 2362 (to the language proposed to be stricken by Amendment No. 2358), to enhance the energy security of the United States by prohibiting the exportation of oil and gas produced under leases in the Arctic National Wildlife Refuge. **Pages S12305–06**

By 54 yeas to 45 nays (Vote No. 291), Bingaman Modified Amendment No. 2365, to prevent a severe reduction in the Federal medical assistance percent-

age determined for a State for fiscal year 2006 and to extend rebates for prescription drugs to enrollees in Medicaid managed care organizations. **Pages S12307–08**

By 93 yeas to 6 nays (Vote No. 292), Lott/Lautenberg Amendment No. 2360, to reauthorize Amtrak. **Page S12308**

Vitter (for Stevens) Amendment No. 2412, to modify the distribution of excess proceeds from the auction authorized by section 309(j)(15)(C)(v) of the Communications Act of 1934. **Page S12310**

Harkin Amendment No. 2363, to affirm that the Federal funding levels for the rate of reimbursement of child support administrative expenses should not be reduced below the levels provided under current law, that States should continue to be permitted to use Federal child support incentive payments for child support program expenditures that are eligible for Federal matching payments, and to express the sense of the Senate that it does not support additional fees for successful child support collection. **Pages S12311–12**

Gregg (for Murray/DeWine) Amendment No. 2350, to amend the definition of independent student to include students who are homeless children and youths and unaccompanied youths for purposes of the need analysis under the Higher Education Act of 1965. **Pages S12314–17**

Gregg (for Specter/Leahy) Amendment No. 2378, to fund justice programs. **Pages S12314–17**

Gregg (for Sununu) Amendment No. 2418, to amend chapter 21 of title 38, United States Code, to enhance adaptive housing assistance for disabled veterans and to reduce the amount appropriated for the Medicaid Integrity Program by \$1,000,000 for each of fiscal years 2007 through 2010. **Pages S12314–17**

Gregg (for Feinstein) Amendment No. 2411, to authorize the continued provision of certain adult day health care services or medical adult day care services under a State Medicaid plan. **Pages S12314–17**

Gregg (for Warner) Amendment No. 2413, to provide additional ProGAP assistance to certain students. **Pages S12314–17**

Baucus Amendment No. 2383, to exclude discounts provided to mail order and nursing facility pharmacies from the determination of average manufacturer price and to extend the discounts offered under fee-for-service Medicaid for prescription drugs to managed care organizations. **Pages S12317–18**

Gregg (for Levin) Amendment No. 2417, to establish an International Border Community Interoperable Communications Demonstration Project. **Page S12318**

Santorum Amendment No. 2419, to amend title XVIII of the Social Security Act to make a technical correction regarding purchase agreements for power-driven wheelchairs under the Medicare program, to provide for coverage of ultrasound screening for abdominal aortic aneurysms under part B of such program, to improve patient access to, and utilization of, the colorectal cancer screening benefit under such program, and to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of such title. **Pages S12320–21**

Gregg (for Lieberman) Amendment No. 2380, to make minor changes to the quality measurement systems provisions with respect to value based purchasing under the medicare program. **Pages S12321–22**

Gregg (for Sununu/Allen) Amendment No. 2386, to ensure that amounts are not obligated out of the Digital Transition and Public Safety Fund until the proceeds of the auction are actually deposited by the FCC. **Pages S12321–22**

Gregg (for Sununu) Amendment No. 2420, to convert Digital Transition and Public Safety Fund program payment amounts into limitations. **Pages S12321–22**

Smith/Clinton Amendment No. 2390, to provide for a demonstration project regarding medicaid coverage of low-income HIV-infected individuals. **Page S12323**

Conrad/Salazar Amendment No. 2422, to ensure Medicaid enrollees have access to small, independent pharmacies located in rural and frontier areas. **Pages S12325–26**

Rejected:

By 49 yeas to 50 nays (Vote No. 287), Nelson (FL) Amendment No. 2357, to hold Medicare beneficiaries harmless for the increase in the 2007 Medicare monthly part B premium that would otherwise

occur because of the 2006 increase in payments under the physician fee schedule. **Pages S12302–03**

By 48 yeas to 51 nays (Vote No. 288), Cantwell Amendment No. 2358, to strike the title relating to the establishment of an oil and gas leasing program in the Coastal Plain. **Pages S12303–05**

By 30 yeas to 69 nays (Vote No. 293), McCain Amendment No. 2370, to move forward the date on which the transition to digital television is to occur. **Pages S12308–09**

By 14 yeas to 85 nays (Vote No. 295), Byrd Amendment No. 2367, to replace title VIII of the bill with an amendment to section 214(c) of the Immigration and Nationality Act to impose a fee on employers who hire certain nonimmigrants. **Pages S12310–11**

By 48 yeas to 51 nays (Vote No. 298), Cantwell Amendment No. 2400, to ensure the payment to the Treasury of the United States of 50 percent of revenues from oil and gas leasing and production on the Coastal Plain. **Pages S12313–14**

By 49 yeas to 50 nays (Vote No. 299), Schumer/Rockefeller Amendment No. 2348, to strike the provisions increasing the Medicaid rebate for generic drugs. **Pages S12318–19**

By 46 yeas to 52 nays (Vote No. 300), Reed Amendment No. 2409, to strike provisions relating to reforms of targeted case management. **Page S12321**

By 48 yeas to 51 nays (Vote No. 301), Reed Amendment No. 2396, to strike subtitle C of title II relating to FHA asset disposition. **Pages S12322–23**

Cornyn Amendment No. 2408, to eliminate the converter box subsidy program. **Page S12325**

Withdrawn:

Gregg (for Frist/Gregg) Amendment No. 2347, to provide amounts to address influenza and newly emerging pandemics. **Page S12286**

Ensign Amendment No. 2368, to cut \$2,000,000,000 from the convertor box subsidy program. **Page S12309**

Landrieu Amendment No. 2366, to provide funds for payments to producing States and coastal political subdivisions under the coastal impact assistance program. **Page S12310**

Hagel/Sununu Amendment No. 2391, to require Fannie Mae and Freddie Mac to register under the Securities Act of 1933. **Pages S12319–20**

During consideration of this measure today, the Senate also took the following action:

By 50 yeas to 49 nays (Vote No. 283), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Conrad Amendment No. 2351, to fully reinstate the pay-as-you-go requirement through 2010. Subsequently, the

point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Page S12291**

By 31 yeas to 68 nays (Vote No. 284), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Ensign Amendment No. 2404 (to Amendment No. 2352, as modified), of a perfecting nature. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Page S12294**

By 48 yeas to 51 nays (Vote No. 285), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Lincoln Modified Amendment No. 2356, to provide emergency health care and other relief for survivors of Hurricane Katrina. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

**Pages S12295–S12302**

By 32 yeas to 67 nays (Vote No. 286), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 306 of the Congressional Budget Act of 1974, as amended, with respect to Inhofe/Chambliss Amendment No. 2355, to cap non-defense, non-trust-fund, discretionary spending at the previous fiscal year's level, beginning with fiscal year 2007. Subsequently, the point of order that the amendment contained matter within the jurisdiction of the Committee on the Budget, was sustained, and the amendment thus fell.

**Page S12302**

By 46 yeas to 53 nays (Vote No. 290), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Grassley Amendment No. 2359, to clarify certain payment limitations applicable to certain payments under title I of the Farm Security and Rural Investment Act of 2002 and section 1101 of the Agricultural Reconciliation Act of 2005 and to partially restore funding to programs reduced by sections 1101, 1201, and 1202 of the Agricultural Reconciliation Act of 2005. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Pages S12306–07**

By 43 yeas to 56 nays (Vote No. 294), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Murray

Amendment No. 2372, to provide a 6-month transition period for coverage of prescription drugs under Medicaid for individuals whose drug coverage is to be moved to the Medicare prescription drug program. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Pages S12309–10**

By 44 yeas to 55 nays (Vote No. 296), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 306 of the Congressional Budget Act of 1974, as amended, with respect to Byrd/Harkin Amendment No. 2414, to provide for the suspension of the debate limitation on reconciliation legislation that causes a deficit or increases the deficit. Subsequently, the point of order that the amendment contained matter within the jurisdiction of the Committee on the Budget, was sustained, and the amendment thus fell.

**Pages S12312–13**

By 43 yeas to 56 nays (Vote No. 297), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Lautenberg Amendment No. 2381, to require certification prior to beneficiary enrollment in a prescription drug plan or an MA–PD plan that has a gap in the coverage of prescription drugs under part D of title XVIII of the Social Security Act. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Page S12313**

By 51 yeas to 48 nays (Vote No. 302), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Snowe Amendment No. 2371, to amend title XVIII of the Social Security Act to provide the authority for negotiating fair prices for medicare prescription drugs. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Pages S12323–25**

**National Adoption Month:** Senate agreed to S. Res. 299, to express support for the goal of National Adoption Month by promoting national awareness of adoption, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children.

**Page S12372**

**Honoring Henry Giugni:** Senate agreed to S. Res. 300, relative to the death of Henry Kuʻualoha Giugni, former Sergeant-at-Arms of the United States Senate.

**Pages S12372–73**

**Agriculture Appropriations Conference Report:** By 81 yeas to 18 nays (Vote No. 282), Senate agreed

to the conference report to accompany H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, clearing the measure for the President.

Pages S12287–91

**National Defense Authorization—Agreement:** A unanimous-consent agreement was reached providing for further consideration S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces at 9:30 a.m. on Friday, November 4, 2005, pursuant to the order of Wednesday, October 26, 2005; provided further, that on Friday, November 4, 2005, and Monday, November 7, 2005, amendments may be offered, debated, and then set aside with the time reserved for use at a later time.

Page S12373

**Messages From the House:** Page S12352

**Measures Read First Time:** Page S12352

**Executive Communications:** Pages S12352–53

**Executive Reports of Committees:** Page S12353

**Additional Cosponsors:** Pages S12354–55

**Statements on Introduced Bills/Resolutions:**  
Pages S12355–59

**Additional Statements:** Pages S12350–52

**Amendments Submitted:** Pages S12359–71

**Authorities for Committees to Meet:** Page S12371

**Privileges of the Floor:** Page S12371

**Record Votes:** Twenty-two record votes were taken today. (Total—303) Pages S12290–91, S12291, S12294, S12301–02, S12302, S12303, S12305, S12306, S12307, S12308, S12309, S12310–11, S12313, S12314, S12319, S12321, S12323, S12325, S12345

**Adjournment:** Senate convened at 9 a.m., and as a further mark of respect to the memory of the late Henry Ku'uialoha Giugni, in accordance with S. Res. 300, adjourned at 6:40 p.m., until 9:30 a.m., on Fri-

day, November 4, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S12373–74.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the nominations of Matthew Slaughter, of New Hampshire, and Katherine Baicker, of New Hampshire, each to be a Member of the Council of Economic Advisers, Orlando J. Cabrera, of Florida, to be Assistant Secretary of Housing and Urban Development, and Gigi Hyland, of Virginia, and Rodney E. Hood, of North Carolina, each to be a Member of the National Credit Union Administration Board.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 1699, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, with an amendment;

S. 1095, to amend chapter 113 of title 18, United States Code, to clarify the prohibition on the trafficking in goods or services, with an amendment in the nature of a substitute; and

The nominations of Wan J. Kim, of Maryland, to be Assistant Attorney General, Civil Rights Division, Steven G. Bradbury, of Maryland, to be Assistant Attorney General for the Office of Legal Counsel, Sue Ellen Wooldridge, of Virginia, to be Assistant Attorney General, Environment and Natural Resources Division, and Thomas O. Barnett, of Virginia, to be Assistant Attorney General, Antitrust Division, all of the Department of Justice.

Also, Committee began consideration of H.R. 683, to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment, but did not complete action thereon, and recessed subject to the call.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 13 public bills, H.R. 4217–4229; 1 private bill, H.R.

4230; and 2 resolutions, H. Res. 531, 533, were introduced. Pages H9640–41

**Additional Cosponsors:** Pages H9641–42

**Reports Filed:** Reports were filed today as follows:

Supplemental report on H.R. 4128, to protect private property rights (H. Rept. 109–262, Pt. 2);

H.R. 3508, to authorize improvements in the operation of the government of the District of Columbia, with an amendment (H. Rept. 109–267);

H.R. 923, to amend title 39, United States Code, to provide for free mailing privileges for personal correspondence and parcels sent by family members from within the United States to members of the Armed Forces serving on active duty in Iraq or Afghanistan, with amendments (Rept. 109–268);

H. Res. 488, requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery (Rept. 109–269); and H. Res. 532, waiving points of order against the conference report to accompany the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006 (Rept. 109–270).

**Page H9640**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker pro tempore for today.

**Page H9557**

**Chaplain:** The prayer was offered today by Rev. Ronnie Mitchell, Sr., Pastor, Bethel African Methodist Episcopal Church, Spokane, Washington.

**Page H9557**

**Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2006—Motion to go to Conference:** The House disagreed to the Senate amendment and agreed to a conference on H.R. 2528, to make appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006.

**Page H9562**

The House agreed to the Obey motion to instruct conferees by voice vote after agreeing to order the previous question.

**Pages H9562–66**

**Representative Pelosi Question of Privilege:** The Chair ruled that the resolution offered by Representative Pelosi did not constitute a question of the privileges of the House. Agreed to table the motion to appeal the ruling of the Chair by a yea-and-nay vote of 220 yeas to 191 nays, Roll No. 562.

**Pages H9566–68**

**Appointed as Conferees on H.R. 2528:** Representatives Messrs. Walsh, Aderholt, Mrs. Northup, Messrs. Simpson, Crenshaw, Young of Florida, Kirk, Rehberg, Carter, Lewis of California, Edwards, Farr, Boyd, Bishop of Georgia, Price of North Carolina, Cramer, and Obey.

**Page H9568**

**Coast Guard and Maritime Transportation Act of 2005—Motion to go to Conference:** The House

disagreed to the Senate amendment and agreed to a conference on H.R. 889, to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard.

**Pages H9568–69**

The House agreed to the Oberstar motion to instruct conferees by voice vote after agreeing to order the previous question.

**Pages H9568–69**

Later, the Chair appointed the following Members of the House to the conference committee on the bill: from the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. Young of Alaska, LoBiondo, Coble, Hoekstra, Simmons, Mario Diaz-Balart of Florida, Boustany, Oberstar, Filner, Taylor of Mississippi, Higgins and Ms. Schwartz of Pennsylvania.

**Page H9605**

From the Committee on Energy and Commerce, for consideration of sec. 408 of the House bill, and modifications committed to conference: Messrs. Barton of Texas, Gillmor, and Dingell.

**Page H9605**

From the Committee on Homeland Security, for consideration of secs. 101, 404, 413, and 424 of the House bill, and secs. 202, 207, 215, and 302 of the Senate amendment, and modifications committed to conference: Messrs. Daniel E. Lungren of California, Reichert, and Thompson of Mississippi.

**Page H9605**

From the Committee on Resources, for consideration of secs. 426, 427, and title V of the House bill, and modifications committed to conference: Messrs. Pombo, Jones of North Carolina, and Pallone.

**Page H9605**

**Recess:** The House recessed at 12:14 p.m. and reconvened at 2 p.m.

**Page H9569**

**Private Property Rights Protection Act of 2005:** The House passed H.R. 4128, to protect private property rights, by a yea-and-nay vote of 376 yeas to 38 nays, Roll No. 568.

**Pages H9569–H9605**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

**Pages H9589–90**

Agreed to:

Sensenbrenner Manager's amendment (No. 1 printed in H. Rept. 109–266) that makes clear that private roads that are open to the public, free or by toll, and flood control facilities, are covered under the exceptions to the bill. Also includes a savings clause making clear that nothing in the legislation shall be construed to affect the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (which requires the Federal government

to pay the displacement costs of those adversely affected by the Federal government's exercise of eminent domain). Also incorporates into the bill's Sense of Congress section some language provided by the Resources Committee regarding the effect of the abuse of eminent domain on irrigation and reclamation projects, and on public lands; **Pages H9590-91**

Sodrel amendment (No. 4 printed in H. Rept. 109-266) which clarifies that in any proceeding to prevent or remedy a taking, that the burden is on the state or agency to show that it is not for economic development as defined in the Act. Also requires a heightened standard of proof—clear and convincing—that the use fits one of the exceptions to economic development as defined in the Act;

**Page H9592**

Miller of California amendment (No. 7 printed in H. Rept. 109-266) which adds language to specify that the term economic development in the bill does not include the redevelopment of brownfield sites. Uses the definition of brownfield site included in the Small Business Liability Relief and Brownfield Revitalization Act;

**Pages H9595-97**

Gingrey amendment (No. 8 printed in H. Rept. 109-266) which adds a new section to prohibit a State or political subdivision of a State from the exercise of eminent domain over the property of a religious or other nonprofit organization by reason of the nonprofit or tax-exempt status of such organization if that State or political subdivision received Federal economic development funds during any fiscal year in which it does so. This amendment also places the same prohibition on the Federal government. A violation of this provision will render the State or political subdivision ineligible to receive Federal economic development funds for a period of 2 fiscal years;

**Pages H9597-98**

Cuellar amendment (No. 9 printed in H. Rept. 109-266) which ensures that all Federal agencies review their regulations and procedures for compliance with this Act. It requires a report to the Attorney General; and

**Pages H9598-99**

Jackson-Lee of Texas amendment (No. 10 printed in H. Rept. 109-266) that expresses the legislative intent to protect from the taking by the Federal government for economic development or for private use of the property owned, either by assignment, intestate succession, or by record, by survivors of Hurricane Katrina.

**Pages H9599-H9600**

Rejected:

Nadler amendment (No. 2 printed in H. Rept. 109-266) that sought to allow a property owner to go to court before the property is taken in order to obtain declaratory or injunctive relief if the taking violates the Act. The bill currently only allows a property owner to obtain a preliminary injunction or

temporary restraining order, and does not allow the property owner to bring an action until after the conclusion of the condemnation proceedings. The amendment would also strike the penalties portion of the bill, (by a recorded vote of 63 ayes to 355 noes, Roll No. 564);

**Pages H9591-92, H9601-02**

Moran of Virginia amendment (No. 5 printed in H. Rept. 109-266) which sought to clarify the property conveyance for the definition of "economic development," specifies that increasing tax revenue must be the "primary purpose" of the taking authority, and sets a hard date of seven years that property holders can bring action against the taking authority. Also makes a number of technical corrections, (by a recorded vote of 49 ayes to 368 noes, Roll No. 565);

**Pages H9592-94, H9602**

Turner amendment (No. 6 printed in H. Rept. 109-266) that sought to enumerate several harmful uses of land which constitute a threat to public health and safety (i.e. dilapidation, obsolescence, overcrowding, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use, obsolete subdivisions or constitutes a brownfield), (by a recorded vote of 56 ayes to 357 noes, Roll No. 566); and

**Pages H9594-95, H9602-03**

Watt amendment (No. 11 printed in H. Rept. 109-266) that sought to delete all sections of the bill and retains only the sense of Congress recognizing the importance of property rights and that in the aftermath of the Kelo decision that abuses of eminent domain power may occur, (by a recorded vote of 44 ayes to 371 noes, Roll No. 567).

**Pages H9600-01, H9603-04**

The amendment in the nature of a substitute, as amended, was adopted.

**Page H9604**

H. Res. 527, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 401 yeas to 11 nays, Roll No. 563, after agreeing to order the previous question without objection.

**Pages H9560-62, H9568**

**Senate Message:** Message received from the Senate today appears on page H9569.

**Quorum Calls—Votes:** Three yea-and-nay votes and 4 recorded votes developed during the proceedings of today and appear on pages H9567, H9568, H9601-02, H9602, H9602-03, H9603-04, and H9604. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 11:19 p.m.

## *Committee Meetings*

### **YOUR TROOPS: THEIR STORY**

*Committee on Armed Services:* Held a hearing on Your Troops: Their Story. Testimony was heard from the

following officials of the Department of Defense: BG John F. Kelly, USMC, Legislative Assistant to the Commandant, U.S. Marine Corps; COL Robert Abrams, USA, Chief of Staff, 1st Cavalry Division and CSM Neil Citola, USA, III Corps.

#### **RADICAL ISLAM—UNDERSTANDING ASPIRATIONS**

*Committee on Armed Services:* Terrorism and Radical Islam Gap Panel held a hearing on Understanding Aspirations of Radical Islam: Why Mainstream Islam is Radically Different. Testimony was heard from public witnesses.

#### **DEFICIT REDUCTION ACT OF 2005**

*Committee on the Budget:* Ordered reported the Deficit Reduction Act of 2005.

#### **DATA ACCOUNTABILITY AND TRUST ACT**

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action, as amended, H.R. 4127, Data Accountability and Trust Act.

#### **TSA's REGISTERED TRAVELER PROGRAM**

*Committee on Homeland Security:* Subcommittee on Economic Security, Infrastructure Protection, Cybersecurity held a hearing entitled "The Future of TSA's Registered Traveler Program." Testimony was heard from Kip Hawley, Assistant Secretary, Transportation Security Administration, Department of Homeland Security; and public witnesses.

#### **BRIEFING—PORTABLE ELECTRONIC DEVICES AND CYBER SYSTEMS SECURITY VULNERABILITIES**

*Committee on Homeland Security:* Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity and the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment met in executive session to receive a joint briefing on the security vulnerabilities of portable electronic devices and U.S. government cyber systems. The Subcommittees were briefed by departmental witnesses.

#### **BIOSCIENCE AND THE INTELLIGENCE COMMUNITY**

*Committee on Homeland Security:* Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Bioscience and the Intelligence Community." Testimony was heard from public witnesses.

#### **DIGITAL AGE—CONTENT PROTECTION**

*Committee on the Judiciary:* Subcommittee on Courts, the Internet, and Intellectual Property, held an oversight hearing entitled "Content Protection in the

Digital Age: The Broadcast Flag, High-Definition Radio, and the Analog Hole." Testimony was heard from Dan Glickman, Chairman and CEO, Motion Picture Association of America; Mitch Bainwol, Chairman and CEO, Recording Industry Association of America; and public witnesses.

#### **METHAMPHETAMINE EPIDEMIC ELIMINATION ACT; SECOND CHANCE ACT OF 2005**

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action H.R. 3889, Methamphetamine Epidemic Elimination Act.

The Subcommittee also held a hearing on H.R. 1704, Second Chance Act of 2005. Testimony was heard from Representatives Cannon, Davis of Illinois and Jones of Ohio; Robert L. Ehrlich, Jr., Governor, State of Maryland.

#### **OFFENDER RE-ENTRY**

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing entitled "Offender Re-entry: What is Needed to Provide Offenders with a Real Second Chance? Testimony was heard from David Hagy, Deputy Assistant Attorney General, Office of Justice Programs, Department of Justice; Arthur Wallenstein, Director, Department of Correction and Rehabilitation, Montgomery County, State of Maryland; and public witnesses.

#### **OVERSIGHT—INVASIVE ASIAN CARP**

*Committee on Resources:* Subcommittee on Fisheries and Oceans held an oversight hearing on the Growing Problem of Invasive Asian Carp in the Great Lakes and Mississippi River System. Testimony was heard from Representative Kennedy of Minnesota; Everett Wilson, Deputy Assistant Director, Fisheries and Habitat Conservation, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

#### **FEDERAL AND DISTRICT OF COLUMBIA GOVERNMENT REAL PROPERTY ACT OF 2005**

*Committee on Resources:* Subcommittee on National Parks held a hearing on H.R. 3699, Federal and District of Columbia Government Real Property Act of 2005. Testimony was heard from Delegate Norton; Paul Hoffman, Deputy Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; and Anthony A. Williams, Mayor, District of Columbia.

#### **MISCELLANEOUS MEASURES**

*Committee on Resources:* Subcommittee on Water and Power held a hearing on the following bills: H.R.

1190, San Diego Water Storage and Efficiency Act of 2005; H.R. 2563, To authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho; and H.R. 3153, Upper Colorado and San Juan River Basin Endangered Fish Recovery Implementation Programs Reauthorization Act of 2005. Testimony was heard from Representative Otter; William Rinne, Deputy Commissioner, Director of Operations, Bureau of Reclamation, Department of the Interior; Tom Blickensderfer, Endangered Species Program Director, Department of Natural Resources, State of Colorado; and a public witness.

#### CONFERENCE REPORT—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

*Committee on Ways and Means:* Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3057, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Kolbe.

#### NASA'S PROGRAMS STATUS

*Committee on Science:* Held a hearing on Status of NASA's Programs. Testimony was heard from Michael D. Griffin, Administrator, NASA.

#### HURRICANE KATRINA—RESPONSE PROPOSALS

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on proposals in response to Hurricane Katrina. Testimony was heard from Representatives Kennedy of Rhode Island, Kolbe, Platts, Blumenauer, Schmidt, Foley, Lantos, Shays, Jindal and Pickering.

#### OVERSIGHT—VBA'S ANNUAL BUDGET REQUEST

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held an oversight hearing on the development of the Veterans Benefits Administrations' annual budget request. Testimony was heard from Daniel L. Cooper, Under Secretary, Benefits, Veterans Benefits Administration, Department of Veterans Affairs.

#### REVIEW—CREDIT UNION TAX EXEMPTION

*Committee on Ways and Means:* Held a hearing on Review of Credit Union Tax Exemption. Testimony

was heard from JoAnn Johnson, Chairman, National Credit Union Administration; Steven T. Miller, Commissioner, Tax-Exempt and Government Entities Division, IRS, Department of the Treasury; Richard J. Hillman, Management Director, Financial Markets and Community Investment, GAO; former Representative Norman E. D'Amours, State of New Hampshire, and former Chairman, National Credit Union Administration; and public witnesses.

#### UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

*Committee on Ways and Means:* Approved the draft implementing proposal on the United States-Bahrain Free Trade Agreement Implementation Act.

#### BRIEFING—GLOBAL UPDATES/HOTSPOTS

*Permanent Select Committee on Intelligence:* Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

### Joint Meetings

#### ECONOMIC OUTLOOK

*Joint Economic Committee:* Committee concluded a hearing to examine the current economic outlook, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

#### APPROPRIATIONS: SCIENCE/STATE/ JUSTICE/COMMERCE

*Conferees* met to resolve the differences between the Senate and House passed versions of H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006, but did not complete action thereon, and will meet again on Friday, November 4, 2005.

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#### COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 4, 2005

*(Committee meetings are open unless otherwise indicated)*

##### Senate

No meetings/hearings scheduled.

##### House

*Committee on Armed Services,* Regional Powers Panel, hearing on U.S. response to regional powers and inter-agency planning capabilities, 1 p.m., 2118 Rayburn.

*Committee on Government Reform,* hearing entitled "The National Pandemic Influenza Preparedness and Response Plan: Is the U.S. Ready for Avian Flu?" 10 a.m., 2154 Rayburn.

**Joint Meetings**

*Conference:* meeting of conferees on H.R. 2862, making appropriations for the Departments of Commerce and Jus-

tice, Science, and related agencies, for the fiscal year ending September 30, 2006, 11:30 a.m., H140.

*Joint Economic Committee:* to hold hearings to examine the employment-unemployment situation for October 2005, 9:30 a.m., 2226 RHOB.

Next Meeting of the SENATE

9:30 a.m., Friday, November 4

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, November 4

Senate Chamber

**Program for Friday:** Senate will resume consideration of S. 1042, National Defense Authorization.

House Chamber

**Program for Friday:** Consideration of the conference report on H.R. 3057—Foreign Operations, Export Financing and Related Programs Appropriations Act for Fiscal Year 2006 (Subject to a Rule).

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